

**Advisory Committee on Juvenile Justice
Meeting Minutes**

November 30, 2007

Approved: January 30, 2008

The official business meeting of the Advisory Committee on Juvenile Justice was held at the Deep Run Recreational Center, 9910 Ridgefield Parkway, Richmond, VA 23233

Committee Members Present

Benjamin Andrews
Kevin Appel
Jane Brown, Proxy for Anthony Conyers
Cindy Cave, Proxy for Dr. Cannaday, Jr.
Ken Bynum
The Hon. Warner D. (Dave) Chapman
Mark Cranfill
*Barry Green
*Lynette Greenfield, Proxy for Barry Green
Eileen Grey
Andrew Jennings
Malcolm King for Janet Lung, Proxy for Dr. Reinhard
Dr. Jay W. Malcan
Charles Martin
The Hon. Charles Phelps
Robert E. Shepherd, Jr.
The Hon. Michael W. Stewart
Antonio Sutton
Wayne Thomas
Mark Turnbull
Ruby G. Turner
Gina E. Wood

Committee Members Not Present

The Hon. Robert B. Bell
Roberto Calderon
Monica Estrada
Peter Feddo
The Hon. Jerrauld Jones
Chief Rodney D. Monroe
The Hon. Linda T. Puller

DCJS Staff present

Fran Ecker
Demian Futterman
Laureen Hyman
Tracey Jenkins
Laurel Marks

DCJS Staff present (Continued)

Ashaki McNeil
Curtis Stevens

** While both the Director and his proxy were present, they only had one vote on matters coming before the committee.*

I. Welcome, Call to Order and Introductions

The meeting was called to order by the Chair, Mr. Charles Martin. All present introduced themselves to the group.

II. Review and Approval of Minutes

Mr. Martin asked if there were any comments, additions or deletions to be made to the minutes from the August 23, 2007, meeting of the ACJJ. Mr. Kevin Appel made a motion to approve the minutes. The motion was seconded and approved unanimously.

III. Election of Officers

The Nominations Committee Chair, Wayne Thomas, presented the nomination for Mr. Charles Martin as Chair and Ms. Eileen Grey as Vice-Chair. Mr. Appel moved that the nominations be closed. The motion was seconded and approved unanimously.

IV. Coalition on Juvenile Justice (CJJ) Meeting Overview

Mr. Martin gave an overview of the meeting he and Ms. Laurel Marks attended in Denver, Colorado. The bylaws have changed: chairs are still majoring governing bodies of the CJJ, but now others are included to participate within CJJ.

Mr. Dave Chapman made a motion that the ACJJ write a letter to recommend Ms. Gina Wood for the DMC position within the CJJ. The motion was seconded and approved unanimously.

Mr. Andrew Jennings made a motion to have Ms. Grey serve on the planning committee for the CJJ conference in the south. Mr. Appel made the motion that Mr. Andrew Jennings represent youth on the national level within CJJ. The motion was seconded and approved unanimously.

V. Report of OJJDP Training Conference

Ms. Marks gave an overview of the conference which followed the CJJ Meeting in Denver, Colorado in October. OJJDP has expanded the monitoring universe as to types of facilities that need to be covered. There was much discussion in Denver regarding OJJDP's guidance to states and what should be monitored. There are concerns that states will soon reach the point where they will not be able to keep up with OJJDP's requirements and may decide it is not worth meeting these requirements to be eligible for funding.

VI. Compliance Report

Mr. Curtis Stevens gave a compliance report on Virginia's status. Included in his site visits were: court holding facilities, jails, juvenile correctional centers, juvenile detention centers, and law enforcement lockups, this year the law enforcement facilities were greatly expanded. It used to be that states were only required to monitor facilities that hold juveniles, but now OJJDP requests that states include anywhere where there is a potential to hold juveniles to include: anywhere that has a holding cell, an interview room that could be locked, any location with a cuffing ring, or with a cuffing rail. The report is due to OJJDP at the end of December.

Ms. Wood commented on the Spirit of Law enacted in 1974. This is an abuse of power and regulatory directives and is not what Congress has asked that we do, without public input process on these regulations.

Ms. Fran Ecker pointed out that something should be done on this. DCJS has spoken with them one on one many times, but it doesn't yet appear to be the right time to do anything more. OJJDP is listening to our recommendations, but there may be a point when we need the support of the ACJJ to back our decisions. DCJS needs to talk with others overseeing these types of facilities so we can let them know what the requirements are, but that it is up to them to monitor.

Mr. Antonio Sutton asked for the number of DSO violations that Virginia has. Mr. Stevens recalled that Virginia has 30 DSO violations, excluding federal wards, and of these, most are for alcohol related offenses.

VII. Presentation of Grants Subcommittee Recommendations for Funding

The Grants Subcommittee reviewed 4 JAG/Byrne continuation grants:

- DJJ (\$20,000) to continue the recruitment and retention of criminal justice professionals project.
- Virginia Crime Commission (\$80,000) to continue the study of the juvenile justice system
- The City of Alexandria (\$18,100) to continue to implement the Crime and Delinquency Prevention Program \$500 to support a mentor appreciation event was removed from the budget because it is not an allowable expense; and
- They City of Newport News (\$80,000) to continue to support the Young Offender Regional Reentry Program

The Grants Subcommittee recommends funding all four of these grants at the amounts listed above. This recommendation was seconded and approved with the following abstentions: Mr. Antonio Sutton, Mr. Green, Dr. Cynthia Cave and Mr. Mark Turnbull abstained from the DJJ grant, Mr. Turnbull and Mr. Thomas abstained from the City of Newport News grant.

The Grants Subcommittee reviewed two Title II continuation grants:

- Warren County (\$13,238) to continue to provide restorative justice and truancy conferences and
- The City of Newport News in the amount of (\$22,853) to continue to support the Juvenile Detention Alternative's program.

The Grants Subcommittee recommends funding these continuation grants at the amounts listed above. This recommendation was seconded and approved with the following abstentions: Mr. Turnbull and Mr. Thomas abstained from the City of Newport News grant.

Ms. Wood suggested that the community be notified of our meetings so that they know more about what we do at our meetings and suggested we also invite grantees from the meeting areas to come meet with us.

VIII. Presentation of Juvenile Justice Priority Areas for Third Year of the Three-Year Plan

Staff recommended that the same priorities from last year be retained for this year. Ms. Grey made a motion to retain the juvenile justice priorities from last year's Three Year Plan. The motion was seconded and approved unanimously.

IX. Discussion of roles of the committee, through various subcommittees

▪ Grants Subcommittee

Mr. Martin explained that recommendations from the Advisory Committee on Juvenile Justice must still go before the Criminal Justice Services Board for them to make a final decision based on our recommendations. If someone from the Advisory Committee on Juvenile Justice attends the full committee meeting, but not the subcommittee meeting, their vote would not be included. The recommendation of the subcommittees would go before the full board where the full committee could raise concerns or voice objections to recommendations.

It was requested that summaries of the grants be provided to all members prior to the Grants Subcommittee meeting so that, if a member of the full committee wants to attend, they may do so.

▪ One-Time Special Fund Subcommittee

Funding is set aside for projects on a one-time basis, and this subcommittee will then decide who will get the funding.

▪ DMC Subcommittee

Disproportionate Minority Contact is a compliance issue. This subcommittee hasn't met often in the past, but Ms. Ashaki McNeil is going to be the staff person for this committee since Mr. Stevens is traveling. A DMC Conference was sponsored by Virginia State University (VSU) and DCJS last year, and may be held again this year on April 24, 2008. A "Models for Change" Program was recently attended by Sheriff Phelps, Mr. Chapman, Ms. Wood, Ms. McNeil and Ms. Neadie Lee. The conference "Blueprints for Change" sponsored by DCJS, one of the topics was on DMC. DCJS will soon be sending out a solicitation for Byrne funding that would focus on DMC bringing prevention programs into minority communities.

▪ Government Relations Subcommittee

This subcommittee will be treated like the grants subcommittee. Everyone will get a full summary of the legislative information prior to the meeting. The subcommittee will give a report to the full committee.

X. Report of the Federal Advisory Committee on Juvenile Justice (FACJJ) Meeting.

Mr. Shepherd gave an update on the meeting held in Denver, Colorado, October 21-22, 2007. The FACJJ primarily working on early stages of preparing 2008 report. Mr. Shepherd's term on the FACJJ is ending in December, but he will still assist with the reports. Evidence-Based Practices is a major issue. There are two issues that may come up with legislators 1) the transfer of juveniles statutes, 2) legislation may be introduced to bring Virginia in compliance with Sex Offender Notification Registration.

XI. Discussion of Possible Legislation to Allow for Review of Prosecutorial Waiver to Circuit Court

Mr. Shepherd discussed legislation. Recommended that all ACJJ members go to the following website and read the report listed there. (www.cdc.gov, report link is listed on front page). One key issue is that juveniles tried in circuit court and dismissed, can't be tried in juvenile court.

Mr. Chapman recommended that a study be done by the Sentencing Commission before a decision is made on this. The consensus for most would be that what we have in place in Virginia does not need to be changed.

Mr. Michael Stewart asked if consideration was given to having a psychologist speak to juveniles to determine what the appropriate treatment should be, or if the individual is automatically transferred. Unless they are determined not competent to stand trial, in murder charges, the 14 year old will automatically be tried as an adult.

XII. Adam Walsh Act Implications and Update

Mr. Shepherd gave an overview of the Adam Walsh Act which requires a national registry of sex offenders. If the state doesn't enact legislation to bring them in compliance, the state will lose 10% of Byrne funding. Virginia has some of the toughest registration requirements.

Juveniles will be put into the state system if tried as juveniles, rather than adults, if the judge sees fit. The concern of many groups, is that Congress didn't consider the differences between juvenile sex offenders and adult sex offenders. Juveniles are treatable and have low recidivism rates. The Adam Walsh Act treats juveniles the same as adults. Information on sex offender registrants who were juveniles can be found by the public within the system.

XIII. Review of Draft of Bylaws

Mr. Appel made a motion to adopt the bylaws as drafted. Ms. Wood made a motion to Section II, Article 6 that states that only subcommittee members may vote .

Ms. Wood made a motion that the following be added to Article VI - Subcommittees, Section 2: Each subcommittee shall elect its Chair from among its members".

Ms. Wood then made a motion to amend: "Only subcommittee members can vote on business or matters pertaining to the subcommittee."

Mr. Jennings made the motion to approve the bylaws with the recommended changes. The motion was seconded and approved unanimously.

XIV. Distribution of Calendar for 2007-2008 and Subcommittee Sign-Up

VII. Adjourn

A motion was made by Mr. Martin to adjourn at 2:45pm, was seconded and approved unanimously.